

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

(617) 725-4000

MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

June 24, 2006

To the Honorable Senate and House of Representatives:

Pursuant to the provisions of Section 5 of Article 63 of the Amendments to the Constitution, I am today signing House Bill 5056. "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

I am signing into law approximately \$245.1 million in line-item appropriations, including:

- \$55 million for road and bridge improvements through the Commonwealth's Chapter 90 program;
- \$50 million for capital projects at the University of Massachusetts; and
- \$50 million to fund capital projects at state higher education facilities.

However, I am vetoing a total of \$151.5 million in spending and transfers from this bill for earmarked projects and programs included by the Legislature. I've reduced the transfer for supplemental payments to hospitals by \$95 million to \$251 million. Any higher amount would put at risk the approval of the health care reform plan submitted to the federal government by exceeding our budget neutrality agreement and would jeopardize future federal funds.

I am also striking the provisions of this bill that would utilize \$256 million in rainy day funds to support spending contained in this bill. I object to the Legislature's use of rainy day reserves to pay for pet projects that subvert the administration's capital planning process of prioritizing worthy projects. Many of these earmarks also steer funding to specific vendors rather than have those programs compete with other vendors through the Commonwealth's procurement process.

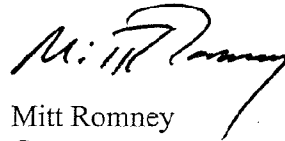
In addition, I am reducing the 15 percent raise given to judges, judicial clerks and sheriffs to make those increases consistent with the 4.1 percent raises given to other constitutional officers in this bill. Further, I am vetoing the provisions and funding that would make the raises retroactive and allow some clerks and sheriffs whose salaries are tied to those of judges receive an additional increase.

In addition:

- I am hereby reducing appropriation amounts in sections 2, 2A, and 2E, of House 5056 enumerated in Attachment A of this message by the amount and for the reasons set forth therein;
- I am vetoing in their entirety those sections of House 5056 itemized in Attachment B of this message, for the reasons set forth in that attachment; and
- Pursuant to Article 56, as amended by Article 90, Section 3 of the Amendments to the Constitution of the Commonwealth, I am returning several sections with recommendations for amendment. My reasons for doing so and the recommended amendment is set forth in separate letter of even date which is hereby incorporated by reference and included with this message as Attachments C- J.

The remainder of the bill I hereby approve.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mitt Romney", is written over the printed name and title.

Mitt Romney
Governor

Attachment A
Jun 06 Supp
Veto Items: Line Item Accounts

Item Number	Action	Reduce By	Reduce To
<i>Section 2</i>			
Alternative Dispute Resolution			
0330-0410	Veto	83,000	0
I am vetoing this item consistent with my veto of section 74, for the reasons set out in Attachment B.			
Environmental Affairs Administration			
2000-0100	Veto	855,000	0
I am vetoing this item consistent with my veto of section 79, for the reasons set out in Attachment B.			
Environmental Law Enforcement			
2030-1000	Reduce	347,000	50,000
I am reducing this item for programs not recommended and consistent with my veto of section 82, for the reasons set out in Attachment B.			
Environmental Protection Administration			
2200-0100	Veto	250,000	0
I am vetoing this item consistent with my veto of section 83, for the reasons set out in Attachment B.			
Fisheries and Wildlife			
2310-0200	Veto	50,000	0
I am vetoing this item consistent with my veto of section 86, for the reasons set out in Attachment B.			
Division of Marine Fisheries			
2330-0100	Reduce	60,000	280,000
I am reducing this item to the amount projected to be necessary.			
Commonwealth Zoological Corporation			
2800-0200	Reduce	2,500,000	250,000
I am reducing this item consistent with my amendment of section 89, for the reasons set out in Attachment F.			
Youth-at-Risk Matching Grants			
4000-0112	Veto	400,000	0
I am vetoing this item consistent with my veto of section 90, for the reasons set out in Attachment B.			
Substance Abuse Treatment			
4512-0200	Reduce	8,249,990	11,850,010
I am reducing this item consistent with my amendment of section 98, for the reasons set out in Attachment G.			

Attachment A
Jun 06 Supp
Veto Items: Line Item Accounts

Item Number	Action	Reduce By	Reduce To
Workforce Development Grants			
7003-0702	Veto	1,789,999	0
I am vetoing this item consistent with my veto of section 104, for the reasons set out in Attachment B.			
Housing Main Administration			
7004-0099	Veto	385,000	0
I am vetoing this item consistent with my veto of section 106, for the reasons set out in Attachment B.			
Office of Travel and Tourism			
7007-0900	Veto	835,000	0
I am vetoing this item consistent with my veto of section 110, for the reasons set out in Attachment B.			
Local Tourist Councils			
7007-1000	Veto	500,000	0
I am vetoing this item which funds program expansion not recommended.			
Low-Scoring Student Support			
7061-9404	Veto	52,858	0
I am vetoing this item consistent with my veto of section 114, for the reasons set out in Attachment B.			
Exec. Office of Public Safety			
8000-0000	Reduce	280,000	589,000
I am reducing this item consistent with my amendment of section 116, for the reasons set out in Attachment H.			
Military Division Administration			
8700-0001	Veto	460,802	0
I am vetoing this item consistent with my veto of section 120, for the reasons set out in Attachment B.			
Dept. of Correction Facilities			
8900-0001	Veto	875,000	0
I am vetoing this item consistent with my veto of section 121, for the reasons set out in Attachment B.			

Attachment A
Jun 06 Supp
Veto Items: Line Item Accounts

Item Number	Action	Reduce By	Reduce To
<i>Section 2A</i>			
Boston Municipal Court			
0330-0318	Veto	200,000	0
I am vetoing this item which funds program expansion not recommended.			
Massachusetts Development Finance Agency			
1100-1560	Veto	1,000,000	0
I am vetoing this item which funds programs not recommended.			
Sheriff Salary Reserve			
1599-1110	Veto	157,609	0
I am vetoing this item consistent with my veto of section 146, for the reasons set out in Attachment B.			
Judicial Salary Reserve			
1599-7800	Veto	6,998,409	0
I am vetoing this item consistent with my veto of section 146, for the reasons set out in Attachment B.			
Court Clerk Salary Reserve			
1599-7900	Veto	2,004,590	0
I am vetoing this item consistent with my veto of section 146, for the reasons set out in Attachment B.			
Agricultural Innovation Center			
2511-2000	Veto	3,200,000	0
I am vetoing this item which funds a program not recommended.			
Grants to Community Health Centers			
4000-0265	Veto	1,500,000	0
I am vetoing this item which funds program expansions not recommended.			
Grants to Junior Achievement Organizations			
7035-0123	Veto	500,000	0
I am vetoing this item which funds a program not recommended.			
University of Massachusetts Winter Moth Study			
7100-0400	Veto	150,000	0
I am vetoing this item which funds a program not recommended.			

Attachment A
Jun 06 Supp
Veto Items: Line Item Accounts

Item Number	Action	Reduce By	Reduce To
University of Massachusetts Biomedical Institute			
7100-0550	Veto	2,500,000	0
I am vetoing this item which funds a program not recommended.			
Mt Wachusett Community College Energy Program			
7509-1000	Veto	150,000	0
I am vetoing this item which funds a program not recommended.			
Roxbury Community College Technology Upgrades			
7515-0122	Veto	105,600	0
I am vetoing this item which funds a program not recommended.			

Attachment A
Jun 06 Supp
Veto Items: Line Item Accounts

Item Number	Action	Reduce By	Reduce To
<i>Section 2E</i>			
Maintenance of Parks and Beaches			
2800-0108	Reduce/Strike Wording	3,420,000	7,530,000
I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.			
Transportation Improvements			
6005-0030	Reduce/Strike Wording	250,000	13,223,334
I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.			
Economic Grants to Municipalities			
7004-0097	Reduce/Strike Wording	14,028,000	16,333,447
I am striking language which earmarks funding for programs not recommended. The reduction in the item incorporates the amount of the stricken earmarked funds.			
Rockwood Field Improvements			
7116-0102	Veto	250,000	0
I am vetoing this item which funds a program not recommended.			
Mt. Wachusett Community College Field Maintenance			
7509-0102	Veto	100,000	0
I am vetoing this item which funds a program not recommended.			
Worcester Public Safety Complex			
8000-0051	Veto	2,000,000	0
I am vetoing this item which funds a program not recommended.			

Attachment B
Jun 06 Supp
Veto Items: Outside Sections

State Geologist

Section 14

I am vetoing this section because it improperly imposes legislative controls on the executive branch's management decision.

Pension Liability

Section 16

I am vetoing this section because it creates an additional unfunded pension liability.

Enables Salary Increase for Sheriffs

Section 17

I am vetoing this section because the sheriffs are receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.

Debt Exclusion Restrictions

Section 18

I am vetoing this section because its passage would erode the tax limiting provisions of Prop 2 1/2.

Building Regulations

Section 37

I am vetoing this section because it improperly legislates an environmental impact review.

Enables Salary Increase for Land Court Recorders

Section 39

I am vetoing this section because these employees are already receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.

Enables Salary Increase for Housing Court Clerks

Section 40

I am vetoing this section because these employees are already receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.

Enables Salary Increase for Clerks at Appeals Court

Section 43

I am vetoing this section because these employees are already receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.

Enables Salary Increase for Probate Court Clerks

Section 45

I am vetoing this section because these employees are already receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.

Attachment B
Jun 06 Supp
Veto Items: Outside Sections

Enables Salary Increase for Boston Municipal Court Clerks Section 46 I am vetoing this section because these employees are already receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.
Enables Salary Increase for Juvenile Court Clerks Section 47 I am vetoing this section because these employees are already receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.
Enables Salary Increase for District Court Clerks Section 48 I am vetoing this section because these employees are already receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.
Enables Salary Increase for Superior Court Clerks Section 49 I am vetoing this section because these employees are already receiving a pay increase under other provisions of this bill as their salaries are tied to judicial salaries.
Dispute Resolution Earmark Section 74 I am vetoing this section because it increases an earmarked program by 166% to a level that is not recommended.
Executive Office of Environmental Affairs Earmark Section 79 I am vetoing this section because it unnecessarily earmarks the use of funds at the Executive Office of Environmental Affairs.
Executive Office of Environmental Affairs Earmark Section 82 I am vetoing this section because it unnecessarily earmarks the use of funds at the Executive Office of Environmental Affairs.
Department of Environmental Protection Earmark Section 83 I am vetoing this section because it unnecessarily earmarks the use of funds at the Department of Environmental Protection.
Department of Fish and Game Earmark Section 86 I am vetoing this section because it unnecessarily earmarks the use of funds at the Department of Fish and Game.

Attachment B
Jun 06 Supp
Veto Items: Outside Sections

Department of Conservation and Recreation Earmark Section 88 I am vetoing this section because it unnecessarily earmarks the use of funds at the Department of Conservation and Recreation.
Executive Office of Health and Human Services Earmark Section 90 I am vetoing this section because it unnecessarily earmarks the use of funds at the Executive Office of Health and Human Services.
Department of Workforce Development Earmark Section 104 I am vetoing this section because it unnecessarily earmarks the use of funds at the Department of Workforce Development.
Department of Housing and Community Development Earmark Section 106 I am vetoing this section because it unnecessarily earmarks the use of funds at the Department of Housing and Community Development.
Office of Travel and Tourism Earmark Section 110 I am vetoing this section because it unnecessarily earmarks the use of funds at the Office of Travel and Tourism.
Office of Travel and Tourism Earmark Section 111 I am vetoing this section because it is consistent with my veto of section 110 of this act.
Department of Education Earmark Section 113 I am vetoing this section because it funds a program not requested by the Department of Education.
Department of Education Earmark Section 114 I am vetoing this section because it unnecessarily earmarks the use of funds at the Department of Education.
Military Division Earmark Section 120 I am vetoing this section because it unnecessarily earmarks the use of funds at the Military Division.

Attachment B
Jun 06 Supp
Veto Items: Outside Sections

Department of Correction Earmark Section 121 I am vetoing this section because it unnecessarily earmarks the use of funds at the Department of Correction.
Transitional Escrow Fund Extension Section 128 I am vetoing this section because the fund is no longer necessary because the balance will be transferred to the General Fund pursuant to section 133 of this act.
Transfer from Stabilization Fund to General Fund Section 131 I am vetoing this section because I will not use stabilization reserves when the current surplus can support the expenditures in this bill.
Stabilization Fund Transfer Section 132 I am vetoing this section because I will not use stabilization reserves when the current surplus can support the expenditures in this bill.
Trial Court Report Section 141 I am vetoing this section because it imposes legislative mandates on the administration of the judicial branch.
Health and Human Services Contract Section 143 I am vetoing this section because it improperly imposes legislative controls on the state procurement process.
Effective Date for Retroactive Pay Raises Section 145 I am vetoing this section because I am not in favor of legislative mandated retroactive pay raises.
Court and Sheriff Salary Increase Effective Date Section 146 I am vetoing this section because I am not in favor of legislative mandated retroactive pay raises and it is consistent with my vetos of sections 17, 39, 40, 43, and 45-49 of this act.



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ATTACHMENT C

June 24, 2006

To the Honorable Senate and House of Representatives:

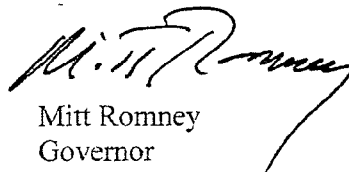
Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 41 of House Bill 5056, "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

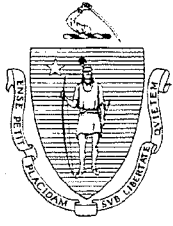
Section 41 provides for a pay increase for the Chief Justice and the Associate Justices of the Supreme Judicial Court.

I believe that the Judges deserve a pay raise consistent with both the 4.1% pay raise that the Constitutional Officers are receiving in this supplemental appropriations bill and the 4.1% pay raise the legislators received in 2005.

I therefore recommend that section 41 of H.5056 be amended by striking out the numbers "151,239" and "145,984" and replacing it with numbers "136,904" and "132,148".

Respectfully submitted,


Mitt Romney
Governor



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ATTACHMENT D

June 24, 2006

To the Honorable Senate and House of Representatives:

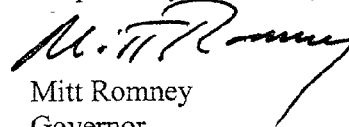
Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 42 of House Bill 5056, "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

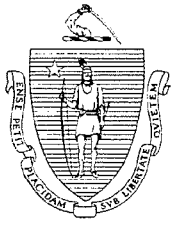
Section 42 provides for a pay increase for the Chief Justice and the Associate Justices of the Appellate Court.

I believe that the Judges deserve a pay raise consistent with both the 4.1% pay raise that the Constitutional Officers are receiving in this supplemental appropriations bill and the 4.1% pay raise the legislators received in 2005.

I therefore recommend that section 41 of H.5056 be amended by striking out the numbers "140,358" and "135,087" and replacing it with numbers "127,054" and "122,283".

Respectfully submitted,


Mitt Romney
Governor



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MITT ROMNEY
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ATTACHMENT E

June 24, 2006

To the Honorable Senate and House of Representatives:

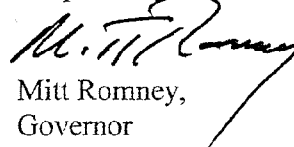
Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 44 of House Bill 5056, "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

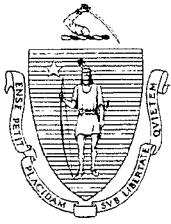
Section 44 provides for a pay increase for the Chief Justices, the Associate Justices, and the Chief Administrative Justice of the Trial Court.

I believe that the Judges deserve a pay raise consistent with both the 4.1% pay raise that the Constitutional Officers are receiving in this supplemental appropriations bill and the 4.1% pay raise the legislators received in 2005.

I therefore recommend that section 44 of H.5056 be amended by striking out the numbers "129,694", "135,124" and "140,358" and replacing it with numbers "117,401", "122,316", and "127,054".

Respectfully submitted,


Mitt Romney,
Governor



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MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

ATTACHMENT F

June 24, 2006

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 89 of House Bill 5056, "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

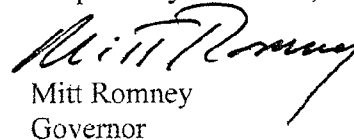
Section 89 creates earmarked funds in the Department of Conservation and Recreation account in the 2006 General Appropriations Act.

The following earmarked fund has not been requested by the Department and therefore I am eliminating it.

I therefore recommend that section 89 of H.5056 be amended by striking the following words:-

provided further, that \$2,500,000 shall be expended for capital expenses to the Commonwealth Zoological Society;

Respectfully submitted,


Mitt Romney
Governor



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EXECUTIVE DEPARTMENT

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MITT ROMNEY
GOVERNOR

KERRY HEALEY
LIEUTENANT GOVERNOR

ATTACHMENT G

June 24, 2006

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 98 of House Bill 5056, "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

Section 98 creates earmarked funds in the Department of Public Health account in the 2006 General Appropriations Act.

The following earmarked funds either have not been requested by the Department of Public Health or are presently being funded at the Department of Social Services and therefore I am eliminating them.

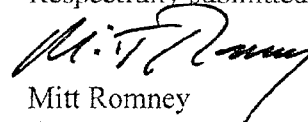
I therefore recommend that section 98 of H.5056 be amended by striking the following words:-

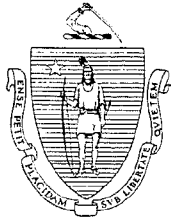
provided further, that \$8,000,000 shall be expended for an increase of \$20 in the daily unit rate for currently licensed recovery home beds while maintaining current capacity;

and said section 98 be further amended by striking the following words:-

; provided further, that not less than \$149,990 shall be expended for Casa Esperanza; and provided further that \$100,000 shall be expended for the prevention of substance abuse in the town of Saugus

Respectfully submitted,


Mitt Romney
Governor



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MITT ROMNEY
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ATTACHMENT H

June 24, 2006

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 116 of House Bill 5056, "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

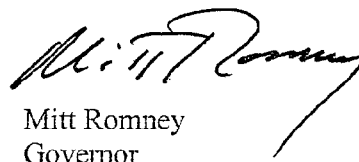
Section 116 creates four new earmarks in an Executive Office for Public Safety account in the 2006 General Appropriations Act.

Two of these earmarked funds have not been requested by the Office for Public Safety and therefore I am eliminating them.

I therefore recommend that section 116 of H.5056 be amended by striking out the following words:-

provided further, that not less than \$130,000 shall be expended for the Salem Harbormaster in the City of Salem for the purpose of purchasing an additional patrol boat; provided further, that not less than \$150,000 shall be expended to fund a study to consider the siting of a new state police crime lab in the city of Worcester;

Respectfully submitted,


Mitt Romney
Governor



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ATTACHMENT I

June 24, 2006

To the Honorable Senate and House of Representatives:

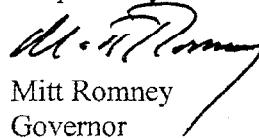
Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 133 of House Bill 5056, "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

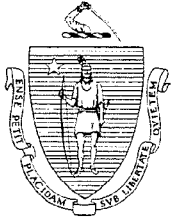
Section 133 instructs the Comptroller to transfer the balance in the Transitional Escrow Fund to the General Fund not less than 10 days after the transfer authorized in section 132.

Since I am vetoing Section 132, this section needs a technical correction.

I therefore recommend that section 133 of H.5056 be amended by striking the words "not more than 10 days after the transfer authorized in section 132 of this act"

Respectfully submitted,


Mitt Romney
Governor



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ATTACHMENT J

June 24, 2006

To the Honorable Senate and House of Representatives:

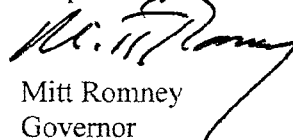
Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 134 of House Bill 5056, "An Act Making Appropriations for the Fiscal Year 2006 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects."

Section 134 of one of several sections that implement new supplemental payments for hospitals. This section directs the Comptroller to transfer up to \$346 million to the Medical Assistance Trust Fund created in the Health Care Reform Bill chapter 58 of the acts of 2006.

I propose amending this section to reduce the amount of the transfer from \$346 million to \$251 million because any level of supplemental payments over \$251 million will threaten federal budget neutrality.

I therefore recommend that section 134 of H.5056 be amended by striking the number "346,000,000" and replacing it with the number "251,000,000"

Respectfully submitted,


Mitt Romney
Governor